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United States Attorney
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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 04-00134-03 SOM
)	
Plaintiff,)	UNITED STATES' RESPONSE TO
)	DEFENDANT'S MOTION TO MODIFY
)	CONDITIONS OF RELEASE
vs.)	
)	Date: February 9, 2006
)	Time: 9:00 a.m.
LANI ANN BREWER, (03),)	Judge: Hon. Kevin S.C. Chang
)	
Defendant.)	
_____)	

UNITED STATES' RESPONSE TO DEFENDANT'S
MOTION TO MODIFY CONDITIONS OF RELEASE

The defendant is pending trial with two other defendants on a charge alleging conspiracy to distribute and to possess with intent to distribute 500 grams or more of cocaine. Trial is scheduled to begin April 25, 2006. On November 3, 2004, the defendant pled guilty to attempted possession of cocaine with intent to distribute. The defendant claimed she only had knowledge of a minimal amount of cocaine in the scheme she

entered into with co-defendant Michael Allen Bush.

The United States believes that the defendant is properly located in her mother's residence and that because the defendant's release is secured by a mortgage on the mother's residence, the mother will ensure that the defendant will comply with all conditions of her release.¹

The United States has no objection to the defendant moving her residence to her husband's. The United States, however, would ask that the husband's residence be substituted as the security for defendant's release and that defendant's husband appear in Court and agree to act as third party custodian.

DATED: February 8, 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Thomas Muehleck
THOMAS MUEHLECK
Assistant U.S. Attorney

¹ The defendant's mother was previously acting as a third party custodian but was formally released from that position on July 26, 2005 at the request of the Pretrial Services Office because of a concern over the mother's health.

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served by First Class Mail:

MICHAEL J. GREEN, ESQ.
345 Queen St., Second Floor
Honolulu, HI 96813

February 8, 2006

Counsel for defendant
Lani Ann Brewer

/s/ Rowena N. Kang